

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

FAIRFIELD SENTRY LIMITED, et al.,

Debtor in Foreign
Proceedings.

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), et al.,

Plaintiffs,

v.

CITIBANK NA LONDON, et al.,

Defendants.

Adv. Pro. No. 10-03622 (CGM)

SECOND AMENDED SCHEDULING ORDER
ON PERSONAL JURISDICTION BRIEFING AND SUBSEQUENT DISCOVERY

WHEREAS, on September 28, 2021, the Court entered a scheduling order for briefing motions to dismiss for lack of personal jurisdiction (“PJ Motions”);

WHEREAS, on January 13, 2022, the Court amended that scheduling order to facilitate the parties’ continued negotiations over jurisdictional discovery;

WHEREAS, the Liquidators informed this Court in an April 21, 2022 letter filing of their intention to seek an extension of the case schedule to account for delays in receiving the jurisdictional discovery needed to oppose defendants’ pending motions to dismiss;

WHEREAS, the Liquidators requested a deadline for the parties to substantially complete jurisdictional discovery, which deadline is necessary to inform the length of any requested extension to the case schedule;

WHEREAS, on May 20, 2022, this Court imposed a substantial completion deadline of June 30, 2022, subject to the parties' ability to negotiate a different date where appropriate;

WHEREAS, the Liquidators require sufficient time in which to review defendants' productions in order to respond to the PJ Motions; and

WHEREAS, there is good cause to extend the case schedule accordingly;

IT IS NOW, THEREFORE, HEREBY ORDERED, that:

1. Interrogatories (except contention interrogatories) shall be served by December 19, 2023;
2. Contention interrogatories and requests for admission shall be served by February 16, 2024;
3. Contention interrogatories shall be served no earlier than December 19, 2023;
4. The parties shall substantially complete all merits document productions by November 20, 2023;
5. Fact discovery shall conclude by April 29, 2024;
6. The deadline for the parties to disclose the identity of any expert witness under Federal Rule of Civil Procedure 26(a)(2) is March 11, 2024;
7. The parties may designate rebuttal expert witnesses consistent with Federal Rule of Civil Procedure 26(a)(2)(D)(ii) by March 11, 2024;
8. The parties shall submit a mutually agreed to proposed schedule for exchanging opening, rebuttal, and reply expert reports and for completion of expert depositions (or, barring agreement, competing proposed Orders) for the Court's consideration no later than May 6, 2024;
9. All expert discovery shall be completed by November 29, 2024;

10. Any request for leave to amend pleadings or join parties shall be made by March 18, 2024;

11. The parties shall jointly contact the Court on December 9, 2024 to schedule a status conference to discuss summary judgment and trial; and

12. To the extent not modified herein, the provisions of the September 28, 2021 and January 13, 2022 scheduling orders regarding the PJ Motions and the October 19, 2021 scheduling order following the parties' Rule 26(f) conference remain in full force and effect.

Dated: July 27, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge